

In addition, the claimant may be required to submit to a physical or mental examination by a physician employed by the agency or another Federal agency. A copy of the report of the examining physician shall be made available to the claimant upon the claimant's written request provided that he has, upon request, furnished the report referred to in the first sentence of this subparagraph and has made or agrees to make available to the Agency any other physician's reports previously or thereafter made of the physical or mental condition which is the subject matter of his claim.

(2) Itemized bills for medical, dental, and hospital expenses incurred, or itemized receipts of payment for such expenses.

(3) If the prognosis reveals the necessity for future treatment, a statement of expected expenses for such treatment.

(4) If a claim is made for loss of time from employment, a written statement from his employer showing actual time lost from employment, whether he is a full or part-time employee, and wages or salary actually lost.

(5) If a claim is made for loss of income and the claimant is self-employed, documentary evidence showing the amount of earnings actually lost.

(6) Any other evidence or information which may have a bearing on either the responsibility of the United States for the personal injury or the damages claimed.

(c) *Property damage.* In support of a claim for injury to or loss of property, real or personal, the claimant may be required to submit the following evidence or information:

(1) Proof of ownership.

(2) A detailed statement of the amount claimed with respect to each item of property.

(3) An itemized receipt of payment for necessary repairs; or in the case of unrepaid property, not less than two itemized written estimates of the cost of such repairs signed by reliable and disinterested persons who specialize in such work.

(4) Corroborative statements from two reliable, qualified and disinterested persons with respect to the

cost, age of property, and salvage value, where repair is not economical.

(5) Any other evidence or information which may have a bearing on either the responsibility of the United States for the injury to or loss of property or the damages claimed.

(d) *Time limit.* All evidence or information required to be submitted by this section shall be furnished by the claimant, his duly authorized agent or legal representative within a reasonable time. Failure of the claimant, his duly authorized agent or legal representative, to furnish evidence or information necessary to a determination of his claim within 2 months after a request therefor has been mailed to the last known address of such claimant, agent or representative, may be deemed an abandonment of the claim which may thereupon be disallowed.

§604.7 Authority to adjust, determine, compromise and settle.

The General Counsel of the Agency, or his designee, is delegated authority to consider, ascertain, adjust, determine, compromise, and settle claims asserted under the provisions of section 2672 of the Act and under this part.

§604.8 Limitation on Agency authority.

(a) An award, compromise, or settlement of a claim by the Agency under the provisions of section 2672 of the Act, in excess of \$25,000, shall be effected only with the prior written approval of the Attorney General or his designee. For the purposes of this paragraph, a principal claim and any derivative claim shall be treated as a single claim.

(b) An administrative claim may be adjusted, determined, compromised, or settled by the Agency under the provisions of section 2672 of the Act, only after consultation with the Department of Justice, when, in the opinion of the Agency:

(1) A new precedent or a new point of law is involved; or

(2) A question of policy is or may be involved; or

(3) The United States is or may be entitled to indemnity or contribution from a third party and the Agency is

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unable to adjust the third party claim; or

(4) The compromise of a particular claim, as a practical matter, will or may control the disposition of related claim in which the amount to be paid may exceed \$25,000.

(c) An administrative claim may be adjusted, determined, compromised, or settled by the Agency under the provisions of section 2672 of the Act, only after consultation with the Department of Justice when the Agency is informed or is otherwise aware that the United States or an employee, agent or cost-plus contractor of the United States is involved in litigation based on a claim arising out of the same incident or transaction.

§ 604.9 Referral to Department of Justice.

When Department of Justice approval or consultation is required under § 604.8, or the advice of the Department of Justice is otherwise to be requested, the referral or request of the Agency shall be transmitted in writing to the Assistant Attorney General, Civil Division, Department of Justice by the General Counsel of the Agency or his designee.

§ 604.10 Investigation and examination.

The Agency may request any other Federal agency to investigate a claim filed under section 2672 of the Act, or to conduct a physical or mental examination of the claimant and provide a report of such examination.

§ 604.11 Limitations.

(a) Pursuant to the provisions of section 2401(b) of title 28 of the United States Code, a tort claim against the United States shall be forever barred unless presented in writing to the Agency within two (2) years after such claim accrues.

(b) A suit may not be filed until the claim shall have been finally denied by the Agency. Failure of the Agency to make final disposition of the claim within six (6) months after it has been presented shall, at the option of the claimant any time thereafter, be deemed a final denial of the claim for purposes of the Act and of this part.

(c) A suit shall not be filed for a sum greater than the amount of the claim presented to the Agency, except where the increased amount is based upon newly discovered evidence not reasonably discoverable at the time of presenting the claim to the Agency, or upon allegation and proof of intervening facts, relating to amount of the claim.

§ 604.12 Signatures.

The claim and all other papers requiring the signature of the claimant shall be signed by the claimant personally or, where appropriate, by a duly authorized agent or legal representative.

§ 604.13 Penalties.

Section 287 of title 18, United States Code, imposes a fine of not more than \$10,000 and imprisonment for not more than 5 years, or both, for presenting false claims against the Government. Section 1001 of title 18, United States Code, imposes a fine of \$10,000 and imprisonment for not more than 5 years, or both, for making or using false, fictitious, or fraudulent statements or representations in connection with a claim against the Government. Under section 231 of title 31, United States Code, a civil penalty of forfeiture of \$2,000 plus double the amount of damages sustained by the United States (together with the costs of suit) is provided for presenting false or fraudulent claims.

§ 604.14 Attorney fees.

Subject to the penalties imposed by section 2678 of the Act, no attorney shall charge, demand, receive, or collect for services rendered, fees in excess of 20 per centum of any award, compromise, or settlement made pursuant to section 2672 of the Act.

§ 604.15 Disclosure of information.

Unless otherwise authorized by law or this part, no copy of the contents of any claim file within the control of the Agency shall be furnished to any person except in the course of duty to other Federal agencies.